

Court of Appeals, State of Michigan

ORDER

People of MI v Jamarr Edwin Allen

Docket No. 290861

LC No. 08-017150

Christopher M. Murray
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

The motion for immediate consideration is GRANTED.

Pursuant to MCR 7.205(D)(2), the Court orders that the trial court's March 6, 2009 order denying the motion to adjourn trial is REVERSED. Under the circumstances, and in light of the prosecutor's representations to this Court that the motion was unopposed, the trial court abused its discretion in denying the motion. *People v Jackson*, 467 Mich 272; 650 NW2d 665 (2002). The prosecutor showed diligent efforts to produce the evidence.

The motion to waive the requirements of MCR 7.209(A) is GRANTED.

The motion for stay is DISMISSED AS MOOT.

This order shall have immediate effect. MCR 7.215(F)(2).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 13 2009

Date

Sandra Schultz Mengel
Chief Clerk